



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Taishi TSUJI et al.)	Confirmation No.: 9940
)	
Application No.: 10/573,964)	Group Art Unit: 2889
)	
Filed: April 12, 2007)	Examiner: Britt D. Hanley
)	
For: ORGANIC ELECTROLUMINESCENT DEVICE)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop RCE
Alexandria, VA 22314

SUBMISSION OF EUROPEAN OFFICE ACTION

Sir:

Applicants bring to the attention of the Examiner a European Office Action dated May 20, 2010 that issued in a European Patent Application. For the Examiner's convenience, a copy of this European Office Action is attached for the Examiner's consideration. While the European Office Action dated May 20, 2010 cites to US 2001/019783, this document is not attached hereto because it was previously-cited in an Information Disclosure Statement in this application on July 13, 2009 in this application. In addition, while the European Office Action dated May 20, 2010 cites to US 2003/0054197, this document is not attached hereto because it was previously-applied by the Examiner in the Office Actions dated December 10, 2009 and June 3, 2010 in this application. Nevertheless, the European Office Action dated May 20, 2010 that cited these documents is attached for the Examiner's reference.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

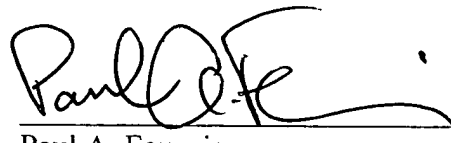
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: August 19, 2010

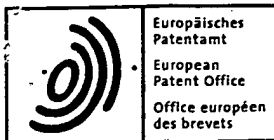
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Application No. 04 773 626.9 - 1218	Ref. <i>G10.</i> FB 17140	Date 20.05.2010
Applicant Pioneer Corporation		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

If filing amendments, you must identify them and indicate the basis for them in the application as filed. Failure to meet either requirement may lead to a communication from the Examining Division requesting that you correct this deficiency (R. 137(4) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).



Mehdaoui, Imed
Primary Examiner
For the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)
US20030054197

The examination is being carried out on the **following application documents**

Description, Pages

1-19 as originally filed

Claims, Numbers

1, 2 received on 12-04-2010 with letter of 12-04-2010

Drawings, Sheets

1/1 as originally filed

Reference is made to the following document; the numbering will be adhered to in the rest of the procedure.

D1 US 2001/019783 A1 (SAKAI TOSHIO [JP] ET AL) 6 September 2001
(2001-09-06)

US20030054197 (D2) is cited by the Examiner (see Guidelines C-VI, 8.2 and 8.3). A copy of the document is annexed to the communication and the numbering will be adhered to in the rest of the procedure.

1 INVENTIVE STEP

1.1 The present application does not meet the requirements of Article 52(1) EPC because the subject-matter of claim 1 does not involve an inventive step within the meaning of Article 56 EPC.

1.2 D1 is considered to be the prior art closest to the subject-matter of claim 1 and discloses:

An OLED comprising the following organic layers:

TPD74 (T_g = 80 °C) / TPD78 (T_g = 126 °C) / DPVBI (T_g = 64 °C)+ DPAVB_i / Alq (T_g = 180 °C) (§ [0114], [0127], [0134]; Comparative Example 2).

The luminescent layer comprises DPVBI doped with the fluorescent compound DPAVB_i.

1.3 The subject-matter of claim 1 therefore differs from this known OLED in that a phosphorescent material is used as a doping material instead of a fluorescent material.

- 1.4 Since no effect is on file due to this difference, the problem to be solved by the present invention may therefore be regarded as to provide an alternative OLED device.
- 1.5 The solution proposed in claim 1 of the present application cannot be considered to involve an inventive step (Articles 52(1) and 56 EPC).
- 1.6 In this respect D2 discloses an OLED device comprising a luminescent layer of CBP doped with Ir(ppy)₃ as a phosphorescent material.
- 1.7 Since the use of phosphorescent dopants is well known to the skilled person this feature is merely one of several straightforward possibilities which the skilled person would select, depending on the circumstances, without exercising inventive skill, in order to solve the problem posed.
- 2 REMARKS
- 2.1 It is noted that none of the examples of the present application fall within the scope of present claim 1 due to the fact that the third layer has a glass transition temperature which is **lower** than 99 °C.
- 2.2 It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 43(1) EPC. The applicant should also indicate how the subject-matter of the new claim differs from the state of the art and the significance thereof.
- 2.3 If the applicant fails to file a set of allowable claims and/or to provide convincing arguments why the amended set of claims meets the requirement of novelty and inventive step, the Examination Division **intends to appoint oral proceedings** as requested by the applicant.